

JOURNAL OF THE SENATE

Monday, May 3, 1943

The Senate convened at 4:00 o'clock P. M., pursuant to adjournment on Friday, April 30, 1943.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President: Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

A quorum present.

Senators Hinely, Mathews and Johnson were excused from attendance upon the Session today.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of Friday, April 30, 1943, was corrected as follows:

On page 4, column 1, in line 2 from the bottom of the page, strike out the words "by title only" and insert in lieu thereof the words "in full."

Also—

On page 5, column 2, in line 24 from the bottom of the page after the words "as amended," insert the following:

"by the required Constitutional two-thirds vote of all members elected to the Senate for the 1943 Session of the Florida Legislature,"

And as corrected was approved.

REPORTS OF COMMITTEES

Your Committee on Welfare, to whom was referred:

House Bill No. 103:

A bill to be entitled An Act granting a pension to Hardy Tadlock of Holmes County, Florida.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And House Bill No. 103, contained in the above report, was laid on the table.

Your Committee on Welfare, to whom was referred:

Senate Bill No. 169:

A bill to be entitled An Act appropriating certain unexpended funds to State Welfare Fund to be used for administrative purposes.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 169, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:

Senate Bill No. 172:

A bill to be entitled An Act to amend Section 409.17, Florida Statutes 1941, as amended by Section 1 of Chapter 20714, Laws of Florida, Acts of 1941, relating to aid to the blind.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 172, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:

Senate Bill No. 173:

A bill to be entitled An Act relating to public assistance warrants heretofore or hereafter issued, prescribing time within which such warrants may be paid, and imposing certain duties upon certain officers with respect thereto.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 173, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:

Senate Bill No. 195:

A bill to be entitled An Act to amend Section 409.04, Florida Statutes 1941, relating to institutional and foster care for children, by authorizing the State Welfare Board to match county and municipal funds for the purpose of developing foster home care for children under supervision of District Welfare Boards, and repealing all laws in conflict herewith.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 195, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:

Senate Bill No. 199:

A bill to be entitled An Act regulating the importation and exportation of children for the purpose of placing them out or procuring their adoption, prescribing penalties for the violations of this Act, and repealing all laws or parts of laws in conflict with this Act.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 199, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:

Senate Bill No. 200:

A bill to be entitled An Act to amend Section 409.02, Florida Statutes 1941, relating to duties of State Welfare Board, by imposing additional duties upon said Board.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 200, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:

Senate Bill No. 204:

A bill to be entitled An Act to amend Section 409.05, Florida Statutes 1941, relating to the licensing of Child Caring Institutions by the State Welfare Board, by regulating the placement of children, requiring a license therefor, imposing certain duties upon the State Welfare Board with reference thereto, prescribing penalties for violations of this Act, and repealing all laws in conflict herewith.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 204, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Welfare, to whom was referred:
Senate Bill No. 170:

A bill to be entitled An Act to amend Section 409.21, Florida Statutes 1941, relating to cooperation of the State Welfare Board and District Boards with the United States Government, by providing for the adoption of rules and regulations governing the custody, use and preservation of records, papers, files and communications of the State Welfare Board, and providing penalties for violations thereof.

Have had the same under consideration, and recommend that the same does not pass.

Very respectfully,

J. EDWIN BAKER,
Chairman of Committee.

And Senate Bill No. 170, contained in the above report, was laid on the table.

Your Committee on Judiciary "C," to whom was referred:
Senate Bill No. 278:

A bill to be entitled An Act conferring the power of eminent domain upon Rural Electric Cooperatives organized under the Rural Electric Cooperative Law of Florida; and prescribing the method by which such power may be exercised.

Have had the same under consideration and recommend that the following Committee Substitute therefore pass:

Amending Section 1.A. of Chapter 20304, Laws of Florida, Acts of 1941, entitled "An Act relating to the exercise of the power of eminent domain; providing that the State of Florida, the State Road Department of Florida, and the counties and incorporated municipalities of the State of Florida, in the exercise of the power of eminent domain granted by law, may take immediate possession of property involved in any condemnation suit instituted by the State, the State Road Department, or any such county or municipality; providing that the court shall make orders with respect to the date upon which the property shall be surrendered and with respect to encumbrances, liens, taxes and other charges; providing for the filing of a declaration of taking, the determination and making of an adequate deposit with the Clerk of the Court to satisfy the judgment of award of compensation; providing for the entry of judgments against the petitioner, the satisfaction thereof and the issuance of executions thereon, providing for the payment of costs of such proceeding, including reasonable attorney's fees." By including therein Rural Electric Cooperatives and corporations constructing, maintaining and operating public works and authorizing such cooperatives and corporations to file with their petition of eminent domain the declaration of taking authorized therein and thus obtain the benefits of said Chapter which prescribes proceedings supplemental to eminent domain; repealing all laws or parts of laws in conflict herewith and determining when this Act shall take effect.

Very respectfully,

J. GRAHAM BLACK,
Chairman of Committee.

And Senate Bill No. 278, contained in the above report, together with the Committee Substitute therefor, was placed on the Calendar of Bills on Second Reading.

Your Committee on Labor and Industry, to whom was referred:

Senate Bill No. 326:

A bill to be entitled An Act to make it unlawful for any person on a public street, roadway, highway or sidewalk, in the State of Florida to throw in, or attempt to throw in, or offer to, or attempt to offer to any occupant of, any motor vehicle, whether standing or moving, or to place in or throw in, any motor vehicle, any advertising matter relating to hotels, restaurants, apartment houses, tourist homes, tourist

camp, motor courts, trailer parks or other lodging facilities, or accommodations, or the rates in connection therewith, or solicit patronage for any of such places from any occupant of any motor vehicle, excepting from automobiles and vehicles parked within one hundred feet of his place of business, or to procure any person to do such acts, declaring such act or acts to be a public nuisance, or traffic hazard, and providing penalties for the violation hereof.

Have had the same under consideration, and recommend that the same pass.

Very respectfully,

RAYMOND SHELDON,
Chairman of Committee.

And Senate Bill No. 326, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 91:

A bill to be entitled An Act to provide for the relief of the Palmer National Bank and Trust Company of Sarasota, Florida, by providing for the reimbursement to it of payments made by said bank to the Tax Collector of Sarasota County, Florida, under assessments levied for the years 1930 to 1940, both inclusive, upon the tangible personal property of said bank.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

K. GRINER,
Chairman of Committee.

And Senate Bill No. 91, contained in the above report, was certified to the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 34:

A bill to be entitled An Act for the relief of Thelma B. Gibson.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

K. GRINER,
Chairman of Committee.

And Senate Bill No. 34, contained in the above report, was certified to the House of Representatives.

Your Committee on Engrossed Bills, to whom was referred (with amendments) after Third Reading:

Senate Bill No. 162:

A bill to be entitled An Act to amend Section 375.20, Florida Statutes 1941, relating to severance taxes on oysters and clams, and providing for the distribution of such severance taxes.

Motion to reconsider vote 4-29-43.

Have carefully examined same, and find same correctly engrossed, and return same herewith.

Very respectfully,

K. GRINER,
Chairman of Committee.

And Senate Bill No. 162, contained in the above report, was certified to the House of Representatives.

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 199:

A bill to be entitled An Act empowering the Boards of County Commissioners of the several counties to invest and reinvest surplus public funds; requiring all securities so purchased to be earmarked and placed in a safety deposit box in some bank or institution carrying adequate safety deposit box insurance; providing for methods of withdrawal of such securities; and authorizing said Boards to sell the same and to pay proceeds of sale into the proper account or fund of said county; and defining such surplus funds.

Also—

House Bill No. 271:

A bill to be entitled An Act regulating and fixing the compensation to be paid to members of the Board of Public Instruction in the County of Highlands, Florida.

Also—

House Bill No. 96:

A bill to be entitled An Act amending Section 10 of Chapter 12489, Laws of Florida, 1927, relating to the annexing of certain territory in the State of Florida to Putnam County by providing that the annexed territory shall become a part of any Special Tax School District in the county of annexation to which said annexed territory is contiguous.

Also—

House Joint Resolution No. 13:

A Joint Resolution proposing an amendment to Section 12 of the Declaration of Rights in the Constitution of the State of Florida, relating to double jeopardy, self-incrimination, due process of law, and the taking of private property without just compensation, by providing the right of persons to work shall not be denied or abridged on account of membership or non-membership in any Labor Union, or Labor Organization; and providing that the right of employees to collectively bargain shall be preserved.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

The Bills and Joint Resolution contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

Your Joint Committee on Enrolled Bills, to whom was referred:

House Bill No. 199:

A bill to be entitled An Act empowering the Boards of County Commissioners of the several counties to invest and reinvest surplus public funds; requiring all securities so purchased to be earmarked and placed in a safety deposit box in some bank or institution carrying adequate safety deposit box insurance; providing for methods of withdrawal of such securities; and authorizing said Boards to sell the same and to pay proceeds of sale into the proper account or fund of said county; and defining such surplus funds.

Also—

House Bill No. 271:

A bill to be entitled An Act regulating and fixing the compensation to be paid to members of the Board of Public Instruction in the County of Highlands, Florida.

Also—

House Bill No. 96:

A bill to be entitled An Act amending Section 10 of Chapter 12489, Laws of Florida, 1927, relating to the annexing of certain territory in the State of Florida to Putnam County by providing that the annexed territory shall become a part of any Special Tax School District in the county of annexation to which said annexed territory is contiguous.

Also—

House Joint Resolution No. 13:

A Joint Resolution proposing an amendment to Section 12 of the Declaration of Rights in the Constitution of the State of Florida, relating to double jeopardy, self-incrimination, due process of law, and the taking of private property without just compensation, by providing the right of persons to work shall not be denied or abridged on account of membership or non-membership in any Labor Union, or Labor Organization; and providing that the right of employees to collectively bargain shall be preserved.

Be leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on
Enrolled Bills on the Part of the Senate.

Senator Beacham moved that House Bill No. 361 be recalled from the House of Representatives for further consideration.

Which was agreed to and it was so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Shands—

Senate Bill No. 342:

A bill to be entitled An Act fixing the compensation of the members of the Board of Bond Trustees of Road and Bridge District No. 1, Alachua County, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 342 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Shands moved that the rules be waived and Senate Bill No. 342 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 342 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 342 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 342 was read the third time in full.

Upon the passage of Senate Bill No. 342 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon. Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So Senate Bill No. 342 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Franklin—

Senate Bill No. 343:

A bill to be entitled An Act authorizing certain officers of the armed forces of the United States to take depositions and affidavits and administer oaths and affirmations of persons serving in the armed forces or attached thereto.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By the Committee on Welfare—

Senate Bill No. 344:

A bill to be entitled An Act guaranteeing to the "Old Age Assistance Tax Fund" of the State of Florida two million dollars annually in addition to all other appropriations to said fund except those revenues paid into said fund from racing; making an appropriation to said fund from the General Revenue Fund of the State of Florida of such amounts which, when added to monies derived from racing under chapters 20306 and 20307, Laws of Florida, Acts of 1941, or any law or laws enacted at the 1943 session of the Legislature imposing a tax on racing and appropriated to the "Old Age Assistance Tax Fund," will provide two million dollars annually for said "Old Age Assistance Tax Fund," prescribing the duties of certain State Officials in connection herewith; and repealing all laws in conflict with the provisions of this Act.

Which was read the first time by title only.

Senator Baker moved that Senate Bill No. 344 be referred to the Committee on Appropriations.

Which was agreed to and it was so ordered.

By Senator Collins—

Senate Bill No. 345:

A bill to be entitled An Act to amend Section 95.11, Florida Statutes of 1941, relating to limitations upon actions other than real actions.

Which was read the first time by title only and referred to the Committee on Judiciary "B."

By Senator Franklin—

Senate Bill No. 346:

A bill to be entitled An Act providing any person serving in

or with the armed forces of the United States or any arm or service thereof and any person whose duties require his or her presence with the armed forces of the United States may acknowledge any instrument before certain officers, and providing such instrument shall not be rendered invalid by failure to state place of execution or acknowledgment, and providing for certificate by the officer taking such acknowledgment, and providing any instrument or document acknowledged as herein provided shall be entitled to record.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Barringer—

Senate Bill No. 347:

A bill to be entitled An Act to authorize the leasing by counties and municipalities of Florida to the United States of America of airports owned by such counties and municipalities upon such terms as may be mutually agreed upon between them.

Which was read the first time by title only and referred to the Committee on Military Affairs and Civilian Defense.

By Senator Taylor—

Senate Bill No. 348:

A bill to be entitled An Act to provide under certain conditions suit money, including a reasonable attorney's fee. To a divorced wife in proceedings subsequent to the rendition of a final decree of divorce by the courts of this state.

Which was read the first time by title only and referred to the Committee on Judiciary "A."

By Senator Maddox—

Senate Bill No. 349:

A bill to be entitled An Act providing for the establishment of a Service and Repair Department for the State and fixing its powers, duties and authority; requiring all State departments, officers, boards and other agencies to use the services of such department in the care, repair and preservation of the typewriters, adding machines, bookkeeping machines and other business machines under their care and control; and providing for the payment of fees to such department for such services.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Sheldon—

Senate Bill No. 350:

A bill to be entitled An Act to amend Section 1 of Chapter 18285, Laws of Florida, Acts of 1937, entitled "An Act creating a State Welfare Board and District Welfare Boards and providing for their appointment, qualifications, powers and duties; providing that said State Board shall be the agent for the United States, State, County and Municipal Governments in the administration of funds for the relief of unfortunates; and authorizing the said boards to act as agent for the United States, State, County and Municipal Governments in the administration of any funds for investigation, social welfare work, or any other work incident to the public welfare of the United States, State, County and Municipal Governments; authorizing the State Welfare Board to formulate rules and regulations necessary to carry out the intent and purposes of this Act; providing for the supervision of State and local institutions for destitute or dependent children and providing for the disposition, care, protection, support and maintenance of dependent children; authorizing the State Welfare Board to establish minimum standards of care for all local public and private institutions or agencies; creating the office of State Welfare Commissioner and providing for his appointment, providing that this Act shall not affect the enforcement of Chapter 9274, Acts of 1923, of Chapter 11834, and 13384, Acts of 1927, of Chapter 13620, Acts of 1929, and Acts amendatory thereof; repealing all other laws or parts of laws in conflict herewith; and making appropriations to carry out the purposes of said Act; and fixing the qualifications of persons entitled to monetary benefits or assistance under this Act."

Which was read the first time by title only and referred to the Committee on Welfare.

By Senator Sheldon—

Senate Bill No. 351:

A bill to be entitled An Act to forever prohibit the owner-

ship, inheritance, disposition, possession and enjoyment of real estate in the State of Florida by persons of Japanese nativity; divesting the interests of all such persons of all rights in real property in this State and declaring the escheat of such interests to the State of Florida, such interest to be held and administered by the Trustees of the Internal Improvement Fund of the State of Florida.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Perdue—

Senate Bill No. 352:

A bill to be entitled An Act providing the open season for the catching of salt water fish from the waters, streams, bayous, or inlets of the counties of the State of Florida with a population of not less than 12,500 and not more than 12,700 according to the 1940 Federal census for commercial use, and providing the size of mesh in nets which may be used in salt water fishing and requiring the return to the waters from which taken any fresh water fish caught in any nets permitted by this Act, and providing that this Act shall terminate upon the termination of the present war between this country and the Axis powers and providing the penalty for the violation of this Act.

Which was read the first time by title only.

Senator Perdue moved that the rules be waived and Senate Bill No. 352 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 352 was read the second time by title only.

Senator Perdue moved that the rules be further waived and Senate Bill No. 352 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 352 was read the third time in full.

Upon the passage of Senate Bill No. 352 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So Senate Bill No. 352 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Collins—

Senate Bill No. 353:

A bill to be entitled An Act authorizing the City of Tallahassee, Florida, to regulate or prohibit the keeping within the corporate limits of said city and the running at large within said corporate limits of poultry, horses, mules, cattle, swine, sheep, goats and other animals, and to impound the same and, on public notice, sell the same or any portion thereof for the penalty imposed by any ordinance and the costs, fees and expenses of such proceeding, and to provide penalties against the owners of animals keeping said animals within said city or permitting the same to run at large therein.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 353 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Collins moved that the rules be waived and Senate Bill No. 353 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 353 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 353 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 353 was read the third time in full.

Upon the passage of Senate Bill No. 353 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So Senate Bill No. 353 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Collins—

Senate Bill No. 354:

A bill to be entitled An Act authorizing the City of Tallahassee to acquire take, hold, control and dispose of real property within its corporate limits by purchase, lease, grant and condemnation or eminent domain proceedings, for the use by said city or the State of Florida as public parks and for public park purposes and as sites for public buildings of the State of Florida.

Which was read the first time by title only.

Proof of Publication of Notice was attached to Senate Bill No. 354 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Collins moved that the rules be waived and Senate Bill No. 354 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 354 was read the second time by title only.

Senator Collins moved that the rules be further waived and Senate Bill No. 354 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 354 was read the third time in full.

Upon the passage of Senate Bill No. 354 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So Senate Bill No. 354 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Collins moved that Committee Substitute for Senate Bill No. 13 be immediately certified to the House of Representatives.

Which was agreed to and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
April 30, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted:

By Mr. Getzen of Sumter—

House Concurrent Resolution No. 9:

A CONCURRENT RESOLUTION PETITIONING AND MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO ESTABLISH JUST AND BENEFICIAL DISTRIBUTION OF GAS, FARM MACHINERY, TRUCKS AND PARTS FOR THE BENEFIT OF AIDING THE WAR EFFORT.

WHEREAS, the United States is now at war with Germany, Japan and Italy; and

WHEREAS, the farmers of America produce in the main the food and clothing, two of the outstanding fundamental essentials necessary to carry on and win the war; and

WHEREAS, agriculture is of vital importance to the United States and the United Nations as a whole; and

WHEREAS, the President has declared that the United States shall become an arsenal of democracy, and that the United States must feed the world.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Florida in the Legislature assembled, the Senate concurring therein, that we respectfully petition and memorialize the Congress and President to enact a sane farm program containing the following pertinent provisions:

1. That the ceiling price of all farm products be set sufficiently high to enable farmers and producers to secure labor at a wage comparable to the wages now being paid laborers employed in defense and industrial work.

2. That Congress, the President, and the authorities in control of the manpower program take into consideration the necessity for farm labor and arrange, as far as possible, deferments for draftees called from the farm, to prevent a shortage of farm labor.

3. That gas rationing and rationing of farm machinery and parts and repairs of farm machinery, including trucks, be furnished liberally to farmers and producers in order that the marketing of products and the other transportation items essential to the farming industry shall not be handicapped nor the products of farm products be curtailed.

4. That the Congress and President be memorialized and requested to call in representative dirt farmers from all parts of the country and consult with them in order that they may obtain a comprehensive and representative picture of the needs of agriculture. That a like and similar program be established for the livestock industry and for each branch of essential agriculture to the end that a speedy and all out victory for the United States and the United Nations be won in 1943, or as soon thereafter as possible.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the President of the United States, and to the members of the United States Senate and members of the House of Representatives in Congress from the State of Florida.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Concurrent Resolution No. 9, contained in the above Message, was read the first time in full and referred to the Committee on Judiciary "C."

Senator Davis moved that a committee be appointed to escort Honorable R. C. Horne, former member of the Senate from the 10th Senatorial District, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Davis, Wilson and McKenzie as the committee.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in and adopted Senate Amendments Nos. 1, 2, 3, and 4 to House Joint Resolution No. 13, by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1943 Session of the Florida Legislature, which Senate Amendments read as follows:

Amendment No. 1:

In Section 12, line 7, strike out the word "citizens" and insert the following: "persons."

Amendment No. 2:

In Title, line 7, strike out the word "citizens" and insert the following: "persons."

Amendment No. 3:

Strike out the period at the end of the Title, then add a semi-colon and insert the following: "and providing that the right of employees to collectively bargain shall be preserved."

Amendment No. 4:

Strike out the period at the end of Section 12; then add a semi-colon and add the following: "provided, that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer."

And has passed House Joint Resolution No. 13, as amended, by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1943 Session of the Florida Legislature, which Joint Resolution reads as follows:

House Joint Resolution No. 13:

Proposing an amendment to Section 12 of the Declaration of Rights in the Constitution of the State of Florida, relating to double jeopardy, self-incrimination, due process of law, and the taking of private property without just compensation, by providing the right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union, or labor organization; and providing that the right of employees to collectively bargain shall be preserved.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to the Constitution of the State of Florida, Section 12 of the Declaration of Rights of said Constitution, be and the same is hereby agreed to, and the same shall be submitted to the qualified electors of the State of Florida for ratification or rejection at the next ensuing General Election, that is to say, that Section 12 of the Declaration of Rights of the Constitution of the State of Florida, be amended so as to read as follows:

"Section 12. No person shall be subject to be twice put in jeopardy for the same offense, nor compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law; nor shall private property be taken without just compensation. The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union, or labor organization; provided, that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer."

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By the Committee on Finance and Taxation—
Senate Bill No. 255:

A bill to be entitled An Act to amend Section 1 of Chapter 14899, Acts of 1931, as amended by Section 1, Chapter 17253, Acts 1935, as amended by Section 1 of Chapter 19190, Acts 1939; Section 5 of Chapter 14899, Acts 1931, as amended by Section 4 of Chapter 17253, Acts 1935, as amended by Section 2 of Chapter 19190, Acts 1939; Section 11 of Chapter 14899, Acts 1931, as amended by Section 6 of Chapter 17253, Acts 1935, as amended by Section 3, Chapter 20960, Acts 1941, being "An Act regulating the sale of securities and to make uniform the law relating thereto; and to repeal statutes which are inconsistent herewith."

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And Senate Bill No. 255, contained in the above Message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendment:

By the Committee on Public Health—
Senate Bill No. 41:

A bill to be entitled An Act to amend Sections 462.01, 462.05, and 462.08, Florida Statutes, 1941, defining naturopathy and relating to examination, license and registration requirements for the practice of naturopathy; providing additional requirements for granting renewal licenses; providing for restoration of expired licenses and registration with State Board of Health; recognizing provisions of Florida Basic Science Law, providing for partial invalidity of chapter; and repealing all laws in conflict herewith.

Which amendment reads as follows:

In Section 1, line 17, of the bill, strike out the words "except as herein provided."

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 41, contained in the above Message, was read by title, together with the House Amendment thereto.

Senator Beacham moved that the Senate do concur in House Amendment to Senate Bill No. 41.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 41.

And Senate Bill No. 41, as amended, was referred to the Committee on Engrossed Bills, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Senator Franklin—
Senate Bill No. 87:

A bill to be entitled An Act to provide for the disposition of unclaimed dividends from assets conveyed to a trustee, corporation, or liquidating agent by a State Bank or Trust Company under the provisions of Sections 653.55, 653.56 and 653.57, Florida Statutes, 1941.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Senate Bill No. 87, contained in the above Message, was referred to the Committee on Enrolled Bills.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By the Committee on Judiciary "B"—
House Bill No. 304:

A bill to be entitled An Act relating to, providing for and regulating the drawing of names for venires for injuries in term time and in vacation, the organization thereof, the length of service of jurors, the duties of the clerks of courts relative thereto, and the repeal of Sections 40.14; 40.15; 40.16; 40.17; 40.18; 40.19; and 40.21 of the Florida Statutes.

By Mr. Papy of Monroe—
House Bill No. 17:

A bill to be entitled An Act to amend Section 12, Chapter 551, of the Florida Statutes of 1941, relating to frontons and exhibitions of Jai Alai or Pelota.

By Messrs. Parker and Yaeger of Leon—
House Bill No. 138:

A bill to be entitled An Act amending Section 257.05 of Florida Statutes, 1941, relative to copies of reports of State Departments or other publications of the State furnished State Library Board.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 304, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B."

And House Bill No. 17, contained in the above Message, was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

And House Bill No. 138, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C."

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Clark of Calhoun—
House Bill No. 260:

A bill to be entitled An Act authorizing the State Board of Administration to return to the Board of County Commissioners of Calhoun County, for the use of Clyde C. Pierce Corporation of Jacksonville, Florida, certain ad valorem tax funds.

By Messrs. Harris, Clement and Miss Baker of Pinellas—
House Bill No. 152:

A bill to be entitled An Act providing for a simplified form of acknowledgment by men and women in the armed forces of the United States, who are stationed beyond the territorial boundaries thereof; providing that instruments pertaining to any interest in real estate in Florida, or any lien thereof, may be acknowledged before certain commissioned officers, whose signature to such acknowledgment, without a seal, shall entitle such instrument to record and make such instrument admissible in evidence, and shall bar the dower, homestead and other property interests of any married woman so acknowledging such instrument; fixing a period of time in which said Act shall be effective; and validating certain prior acknowledgments.

By Mr. Harris and Miss Baker of Pinellas—
House Bill No. 136:

A bill to be entitled An Act prescribing a limitation of time after the record of a deed or the probate of a will within which an action may be brought concerning the lands described in such deed or will and validating certain conveyances and devises.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 260, contained in the above Message, was read the first time by title only.

Senator Adams moved that the rules be waived and House Bill No. 260 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 260 was read the second time by title only.

Senator Adams moved that the rules be further waived and House Bill No. 260 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 260 was read the third time in full.

Upon the passage of House Bill No. 260 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cllett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So House Bill No. 260 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 152, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "A."

And House Bill No. 136, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C."

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Messrs. Fuqua and Lane of Manatee—

House Bill No. 79:

A bill to be entitled An Act providing for declaratory decrees, judgments and orders establishing the practice and procedure in regard thereto, authorizing additional, alternative, coercive, subsequent or supplemental relief in connection therewith, and investing the circuit courts with original jurisdiction thereof.

By Mr. Peters of Dade—

House Bill No. 265:

A bill to be entitled An Act to make it unlawful to cremate any dead human body prior to the expiration of forty-eight hours after the death of such human body and providing a penalty therefor.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,

Chief Clerk House of Representatives.

And House Bill No. 79, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C."

And House Bill No. 265, contained in the above Message, was read the first time by title only and referred to the Committee on Conservation of Natural Resources.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Committee on Judiciary "A"—

Committee Substitute for House Bill No. 52:

A bill to be entitled An Act to amend Section 46.09 of Florida Statutes of 1941, "by providing that the term 'claims in his own right,' as therein used shall include any and all claims of whatever character and description arising out of the same accident, including claims for personal injuries, property damage and the like."

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And Committee Substitute for House Bill No. 52, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "B."

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Curtis of Marion—
House Memorial No. 10:

A Memorial indorsing the bill that has been introduced in the House of Representatives of the United States Congress providing for the relief of Floridians who suffered loss in the campaign to eradicate the Mediterranean Fruit Fly in 1929.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Memorial No. 10, contained in the above Message, was read the first time in full and referred to the Committee on Citrus Fruits.

The following Message from the House of Representatives was received and read:

Tallahassee, Florida,
May 3, 1943.

Hon. Philip D. Beall,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed:

By Mr. Middleton of Putnam—
House Memorial No. 11:

A Memorial relating to the General Welfare Act known as House Resolution 836.

And respectfully requests the concurrence of the Senate therein.

Respectfully,

WALTER P. FULLER,
Chief Clerk House of Representatives.

And House Memorial No. 11, contained in the above Message, was read the first time in full and referred to the Committee on Welfare.

SENATE BILLS ON THIRD READING

Senator McKenzie moved that Senate Bill No. 329 be re-committed to the Committee on Military Affairs and Civilian Defense.

Which was agreed to and it was so ordered.

SENATE BILLS ON SECOND READING

Senate Bill No. 341:

A bill to be entitled An Act to amend Section 293.16, Florida Statutes 1941, relating to procedure for commitment of veteran to United States Veterans' Bureau Hospital, powers and custody thereof and notice required; providing for court costs incident to such guardianship reports; and making the Administrator of Veterans' Affairs a party in interest in any proceeding touching such guardianships.

Was taken up in its order and read the second time in full.

Senator Sturgis moved that the rules be waived and Senate Bill No. 341 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 341 was read the third time in full.

Upon the passage of Senate Bill No. 341 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—32.

Nays—None.

So Senate Bill No. 341 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 165:

A bill to be entitled An Act to enlarge the powers of the Game and Fresh Water Fish Commission by conferring the right of eminent domain upon said Game and Fresh Water Fish Commission in certain cases.

Was taken up in its order and read the second time in full.

Senator Maddox offered the following amendment to Senate Bill No. 165:

Following Section 3 thereof insert the following: "Section 4. This Act shall be effective for a period of two (2) years from the date it becomes a law; all powers hereby conferred shall cease and terminate as of two years from the date this Act becomes a law."

In Section 4 strike out the numeral "4" and insert in lieu thereof the numeral "5."

In Section 5 strike out the numeral "5" and insert in lieu thereof the numeral "6."

Senator Barringer moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Barringer moved that the rules be waived and Senate Bill No. 165, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 165, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 165, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—32.

Nays—None.

So Senate Bill No. 165 passed, as amended, and was referred to the Committee on Engrossed Bills.

Senate Bills Nos. 161 and 263 were taken up in their order and the consideration thereof was informally passed.

Senate Bill No. 334:

A bill to be entitled An Act prohibiting and making it unlawful for any member of the State Road Department, the State Racing Commission, the Florida Industrial Commission, the Director of the State Beverage Department, the Hotel Commissioner and the State Motor Vehicle Commissioner to be a candidate for a public office either in a primary or at a general election during the terms for which they are appointed and commissioned, excepting persons who resign from office within a specified time and providing for the enforcement of this Act and penalties for its violation.

Was taken up in its order and read the second time in full.

Senator Baker offered the following amendment to Senate Bill No. 334:

Amend Section 1 so as to read as follows:

Section 1. That the members of the State Road Department, the State Racing Commission, the Florida Industrial Commission, the Director of the State Beverage Department, the Hotel Commissioner and the State Motor Vehicle Commissioner, during the period for which they are appointed and commissioned to their respective offices shall be, and they are hereby prohibited from being candidates for public office, either in a primary or general election, provided, however, the provisions of this section shall not apply to either

of the enumerated persons who resigns from office on or before six months prior to the date of the first primary election in which he becomes a candidate.

Senator Baker moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baker moved that the rules be waived and Senate Bill No. 334, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 334, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 334, as amended, the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Beacham, Black, Cliett, Griner, Maddox, McKenzie, Sheldon, Shuler, Taylor—12.

Nays—Senators Barringer, Brewton, Carroll, Clarke, Coleman, Collins, Davis, Franklin, Graham, Housholder, King, Lewis, Lindler, Maines, McArthur, Perdue, Rose, Shands, Sturgis, Upchurch, Wilson—21.

So Senate Bill No. 334 failed to pass.

HOUSE BILLS ON SECOND READING

Committee Substitute for House Bill No. 6:

A bill to be entitled An Act to amend Section 347.08 of the "Florida Statutes, 1941," authorizing the State Railroad Commission to regulate the operation of and fix tolls for certain toll bridges, toll roads and causeways in the State of Florida.

Was taken up in its order and read the second time in full.

Senator Collins moved that the rules be waived and Committee Substitute for House Bill No. 6 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Committee Substitute for House Bill No. 6 was read the third time in full.

Upon the passage of Committee Substitute for House Bill No. 6 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—31.

Nays—None.

So Committee Substitute for House Bill No. 6 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Committee Substitute for House Bill No. 42:

A bill to be entitled An Act relating to the acknowledgment of deeds, conveyances, mortgages, relinquishments of dower, contracts for the sale of lands, powers of attorney and other instruments; amending Section 693.03 of the Florida Statutes, 1941, relating to the acknowledgment of such instruments by married women; providing a form of certificate of acknowledgment of any individual; validating certain acknowledgments by married women.

Was taken up in its order and read the second time in full.

Senator King moved that the rules be waived and House Committee Substitute for House Bill No. 42 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Committee Substitute for House Bill No. 42 was read the third time in full.

Upon the passage of House Committee Substitute for House Bill No. 42 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Cliett, Collins, Franklin, Graham, Housholder, King, Maines, McArthur, McKenzie, Shands, Shuler, Sturgis, Taylor, Upchurch—22.

Nays—Senators Clarke, Davis, Griner, Lewis, Lindler, Maddox, Perdue, Rose, Sheldon, Wilson—10.

So House Committee Substitute for House Bill No. 42 passed,

title as stated, and the action of the Senate was ordered certified to the House of Representatives.

HOUSE LOCAL BILLS ON SECOND READING

House Bill No. 430:

A bill to be entitled An Act ratifying, validating and confirming provisions of Ordinance No. 422 Council Series of the ordinances of the City of Key West, Florida, providing for relief payments to certain officers of said city; and requiring payment of such relief payments.

Was taken up in its order.

Senator Franklin moved that the rules be waived and House Bill No. 430 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 430 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 430 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 430 was read the third time in full.

Upon the passage of House Bill No. 430 the roll was called and the vote was:

Yeas—Mr. President; Senators Adams, Baker, Barringer, Beacham, Black, Brewton, Carroll, Clarke, Cliett, Coleman, Collins, Davis, Franklin, Graham, Griner, Housholder, King, Lewis, Lindler, Maddox, Maines, McArthur, McKenzie, Perdue, Rose, Shands, Sheldon, Shuler, Sturgis, Taylor, Upchurch, Wilson—33.

Nays—None.

So House Bill No. 430 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

House Bill No. 432 was taken up in its order and the consideration thereof was informally passed.

VETO MESSAGE

The following Message from the Governor was received and read:

STATE OF FLORIDA
EXECUTIVE DEPARTMENT
TALLAHASSEE

May 3, 1943.

Hon. Philip D. Beall,
President of the Senate,
Tallahassee, Florida.

Sir:

I return herewith Senate Bill 183 originating in your honorable body from which I have been requested by Honorable John R. Beacham, its introducer, to withhold my approval for the following reason:

This bill would have the effect of nullifying Section 1 of Chapter 17807, Acts of 1937, regarded as salutary legislation, and of depriving a considerable portion of the commercial users of musical compositions in this State of the fruits of the successful litigation conducted by the State of Florida to prevent the monopolistic practices condemned by said Section as sustained by the Supreme Court of the United States. Senator Beacham is particularly anxious that this result be not accomplished.

It is my understanding that the veto of this measure will permit of the accomplishing all of the good results intended by the measure without the harmful effect recited above under a substitute bill which is being worked out by Senator Beacham in conjunction with the Florida users affected.

I therefore, by request, veto Senate Bill 183.

Respectfully,

SPESSARD L. HOLLAND.

And Senate Bill No. 183, together with the Governor's objections thereto, was referred to the Committee on Executive Communications.

Senator Housholder moved that the Senate do now adjourn.

Which was agreed to and the Senate stood adjourned at 5:19 o'clock P. M., until 11:00 o'clock A. M., Tuesday, May 4, 1943.